

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 13001 PERMIT 8286 LICENSE 7062

ORDER CORRECTING SOURCE, RELOCATION AND DELETION OF POINTS OF DIVERSION

WHEREAS:

1. License 7062 was issued to Olive Percy Davis, et al and was recorded with the County Recorder of Colusa County on October 23, 1959 in Document 2342, Book 272, Page 370.
2. License 7062 was subsequently assigned to Olive Percy Davis Trust, et al.
3. The USGS (7½') Quadrangle Map - Arbuckle shows the source being on an unnamed drain tributary to Colusa Trough (AKA Reclamation District 2047 Main Canal) thence Sacramento River.
4. A petition to relocate Point of Diversion No. 1 and delete Point of Diversion No. 2 has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change have been shown.
5. The Board has determined that the petitioned changes do not constitute the initiation of new right nor operate to the injury of any other lawful use of water.
6. The license condition pertaining to the continuing authority of the Board does not conform to the current common law public trust doctrine as contained in Title 23, California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. The condition of the license regarding the source be corrected to read as follows:

Unnamed drain tributary to Colusa Trough (AKA) Reclamation District 2047 Main Canal) thence Sacramento River.

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2. The condition of the license regarding the Point of Diversion No. 1 is amended to read as follows:

South 100 feet and West 100 feet from NE corner of Section 24, T15N, R2W, MDB&M being within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 24, also described as California Coordinate System, Zone 2, N 538,300 and E 1,994,000.

Point of Diversion No. 2 has been deleted due to non use.

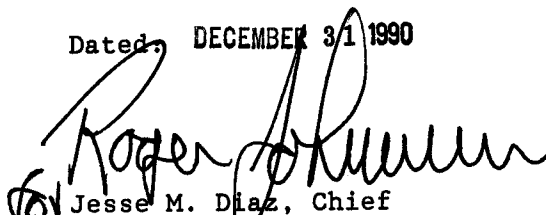
3. The continuing authority in License 5796 be replaced by the following:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

Dated, DECEMBER 31 1990


Jesse M. Diaz, Chief
Division of Water Quality
and Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 13001

PERMIT 8286

LICENSE 7062

THIS IS TO CERTIFY, That

Olive Percy Davis, et al.
P. O. Box 235
Colusa, California

Notice of Assignment (Over)

have made proof as of May 11, 1962,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Main Canal of Reclamation District No. 2047 in Colusa County

tributary to Sacramento River

for the purpose of irrigation and stockwatering uses
under Permit 8286 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from March 25, 1949,
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed twenty-seven hundredths
(0.27) cubic foot per second to be diverted from about April 1 to about October 1
of each year.

The equivalent of such continuous flow allowance for any thirty-day period may
be diverted in a shorter time if there be no interference with other vested
rights.

The points of diversion of such water are located :

- (1) South eighty-four degrees twenty-five minutes west (S 84° 25'W) one thousand
three hundred fifteen (1315) feet from NE corner of Section 24, T15N, R2W,
MDB&M, being within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 24.
- (2) South fifty-nine degrees forty-one minutes east (S 59° 41'E) three hundred
ninety (390) feet from center of Section 13, T15N, R2W, MDB&M, being within
NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 13.

A description of the lands or the place where such water is put to beneficial use is as follows:

Stockwatering and Irrigation of:

25 acres within NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24, T15N, R2W, MDB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: NOV 6 1964



L. K. Hill
L. K. Hill
Executive Officer

12/1/66 name of Fred's Brewery & Chpt
Co. of

1-13-71 Name changed to Estate
of Olive Percy Davis

12-4-78 Records chgd to show as owners: Olive Percy Davis
Trust, Ruth R. Kramer, Marion R. Devin, Annie D. Proffe,
Eleanor Ferguson, Winifred MacCue, Ramona Davis, Alfred
H. Davis, Denise D. Kaveray, John D. Kramer, Ray W.
Kramer, Jr., Louise K. Sirl, Judith K. Schluchter,
Mary Louise Fitzgerald, Priscilla D. Mack, Heidi Ann
Vinsonhale, Winifred Lewis Mary Ann Kirsten,
Carolyn Culver, Barbara Siebert, Robert H. Ferguson,
Norman W. MacCue & Claudia Brown

5-13-99 Asgd to Davis Ranches;

LICENSE 7062
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Olive Percy Davis, et al.

NOV 6 1964

DATED

47689 8-51 3M ① SPO